

**FirstNet RFI, public notice lay groundwork for network procurement**

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The board of the First Responder Network Authority (FirstNet) approved the issuance of a request for information (RFI) and a statement of objectives, which are intended to help FirstNet develop a comprehensive network acquisition strategy. In addition, the board approved a public notice that seeks input regarding preliminary interpretations of the law that created FirstNet, and it approved a \$120 million management budget for fiscal year 2015.

FirstNet said responses to the RFI on comprehensive network solution(s) will enable the authority to better understand industry's capabilities and evaluate procurement approaches as it crafts the LTE-based nationwide public-safety broadband network (NPSBN), which will use FirstNet's 700 MHz, Band 14 spectrum. One of the questions asked in the RFI is whether FirstNet should seek proposals for a comprehensive, nationwide solution, act as an integrator and seek proposals for equipment and services to custom assemble a nationwide network, or do something in between.

The RFI also notes that FirstNet seeks solutions "that would include in-kind or monetary value" provided in consideration for secondary use of FirstNet's excess network capacity. The authority is also seeking in-kind or monetary value for what it terms "innovative business solutions" enabled by the NPSBN. "This acquisition may consider the services provided to public safety, the value provided for excess network capacity, time to market, and rural coverage, among other evaluation criteria," the RFI said.

RFI responses will be kept confidential, as vendors are expected to constitute the bulk of the respondents. Responses to the public notice, which seeks input on proposed statutory interpretations of FirstNet's enabling legislation--the Middle Class Tax Relief and Job Creation Act of 2012--will be accessible by anyone online.

Among other things, the public notice will seek input on definitions for terms such as "public-safety entity" and "rural." Interpretations will inform such items as forthcoming requests for proposals (RFPs), interpretive rules and network policies.

Following completion of the 30-day RFI and public notice comment periods, FirstNet officials hope to develop a draft RFP for release during the first three months of 2015. A final RFP would follow later.

One day prior to the board meeting on Sept. 17, FirstNet's board committees held their own meetings. An update on a conflict-of-interests review and clearance procedures for board members was provided during the governance and personnel committee meeting.

Art Warren, senior counsel for ethics at the Department of Commerce, referenced the "complicated nature" of the current situation in which many board members are not full-time federal government employees and may hold other positions elsewhere. He said a dynamic process is being undertaken for developing and enhancing procedures related to FirstNet board members' financial disclosure rules, particularly as they relate to conflict-of-interest issues, and to ensure compliance with federal ethics regulations.

Stuart Kupinsky, FirstNet's chief counsel, said the authority has implemented a comprehensive program that covers ethics and legal compliance. Lists of companies interested in working with FirstNet have been created, and the FirstNet board and management now get guidance regarding how to deal with vendors and comply with federal procurement rules. One bit of guidance is that board members should not take meetings with vendors or potential partners in which they have a financial interest or affiliation.

Though conflict-of-interest allegations [have dogged FirstNet](#) almost since its inception, not everyone is pleased with the limitations being placed upon the authority. Industry consultant Andy Seybold contends federal laws are restricting FirstNet from having "meaningful private discussions" with potential partners, such as commercial wireless operators.

He contends that the way FirstNet is evolving, it is not truly an "independent authority" under the National Telecommunications and Information Administration (NTIA), as called for in the enabling legislation.

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